

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6324

BILL NUMBER: HB 1951

NOTE PREPARED: Dec 3, 2002

BILL AMENDED:

SUBJECT: Sewage Disposal System Requirements.

FIRST AUTHOR: Rep. Thompson

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill voids, effective July 1, 2004, State Department of Health rules under which certain minimum size and capacity requirements of a residential sewage disposal system are determined by the number of bedrooms in the dwelling served by the system. The bill requires the Department to adopt rules not later than July 1, 2004, under which these minimum size and capacity requirements are determined by the square footage of the dwelling served by the residential sewage disposal system but under which the number of bedrooms may also be considered.

Effective Date: Upon passage; July 1, 2004.

Explanation of State Expenditures: The fiscal impact of revising the on-site residential sewage disposal systems rule is expected to be minimal and absorbable within the Department's current level of expenditures if the standard is simply changed to square footage. The fiscal impact of reworking a formula to use square footage to predict residential wastewater flows may be much more. If the rule is changed without attempting to accurately determine the potential wastewater flow and the appropriate size of the system, the Department of Health estimates that failures due to undersized systems will increase substantially. The bill allows the number of bedrooms to be considered to determine the size of the system. The Department may elect to promulgate a rule using a minimal square footage requirement for all residential systems and continue to determine the appropriate size of the septic tank and absorption field based on correlation of occupancy to the number of bedrooms.

Background Information: Residential building and zoning codes throughout the United States commonly relate occupancy of a residence to the number of bedrooms, rather than to plumbing fixtures or square footage. According to the State Department of Health, the number of bedrooms has provided a good

correlation to occupancy or potential occupancy. The occupancy of a residence is the most accurate measure for predicting wastewater flows. This bill would require the state to convert the sizing and capacity rules for on-site residential wastewater disposal to a standard different from that in use throughout the rest of the country. In addition, the soil loading rates currently used to determine the total square feet required in the absorption field for wastewater applied to a specific soil type were developed by Purdue University specifically for the soils found in the state. If the method of calculating the wastewater flows is changed, then the calculations for determining the size of the absorption field may need to be modified to prevent the installation of undersized septic systems.

The current state Administrative Code does not include a definition of a “bedroom”. Several counties include the definition of what constitutes a bedroom in local ordinances. The State Department of Health has added a similar definition to proposed revisions of the current Administrative Code due to questions about what constitutes a bedroom. The proposed language is “Bedroom means any room in a residence that is 45 square feet or more, contains a closet, and has at least one operable window or exterior door approved for emergency egress or rescue as required by 675 IAC 14-4-30 (Indiana One- and Two-Family Dwelling Code).”

Explanation of State Revenues:

Explanation of Local Expenditures: Local building code and health inspectors would need to be advised and trained in the new sizing formula and application.

Explanation of Local Revenues:

State Agencies Affected: State Department of Health.

Local Agencies Affected: Local health departments.

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